

To the Members of the California State Assembly:

I am returning Assembly Bill 1242 without my signature.

This bill would declare it to be the established policy of the State that every human being has the right to clean, affordable, and accessible water for human consumption.

Existing law establishes that domestic water use has the highest priority over other water uses. When California's water laws were established in 1943, this policy was enshrined in law.

I wholeheartedly support the underlying premise of this bill: We should be doing everything we can to ensure that our communities have access to clean, affordable water for our citizens. But the language of this bill will undoubtedly lead to potentially costly and constant litigation. This moves our limited state resources away from the day to day operations of achieving our clean water goals and puts them in the courtroom.

Additionally, while providing safe drinking water is fundamental to our laws and to human health, this bill would not enhance our current efforts in achieving this goal. The State Water Resources Control Board, the California Department of Public Health, and the Department of Water Resources are actively awarding grant funds and implementing policies and programs to protect and improve the long-term quality of drinking water supplies. Our most pressing barrier in achieving this goal is not desire, it is funding.

For this reason, I am signing AB 626 (Eng) and AB 1438 (Conway). AB 626 makes important changes to existing law that increase funding from Proposition 84 for disadvantaged communities in each hydrologic region in the state. AB 1438 modifies the Safe Drinking Water State Revolving Fund to provide more resources to water system operators serving disadvantaged communities that often lack the resources for vital, costly water system improvements. I believe these bills will provide some additional needed tools to achieve the well-intended purpose of this measure.

The need for additional funding also places heightened importance on the need for a water infrastructure bond that includes a robust investment in increasing water quality and water supply reliability.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger